

Original

2154 <input checked="" type="checkbox"/> 1982 <input type="checkbox"/> (Rev. 5/85) FILING FEE PAID Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> IF MOTION FILED Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> COPIES SENT TO Court <input checked="" type="checkbox"/> Pro Se <input type="checkbox"/>	PETITION UNDER 28 USC § 2254 FOR WRIT OF HABEAS CORPUS BY A PERSON IN STATE CUSTODY	District _____ Prisoner No. <u>P-76824</u> Case No. <u>Scs 180-124</u>
United States District Court		
Name of Petitioner (include name under which convicted) <u>JACKIE Dean Ojeda</u> Place of Confinement <u>California Correctional Institution</u> <u>4B-2C-1036 Shy</u> <u>P.O. BOX 1906</u> <u>TEHACHA, CA 93581</u>		
Name of Respondent (authorized person having custody of petitioner) <u>JACKIE Dean Ojeda</u>		JUN - 5 2008 FILED CLERK, U.S. DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA DEPUTY
The Attorney General of the State of: <u>California</u>		'08 CV 1035 H JMA
PETITION		
1. Name and location of court which entered the judgment of conviction under attack <u>Superior Court of California, County of SAN DIEGO South Bay BRANCH, Chula Vista</u>		
2. Date of judgment of conviction <u>4/28/04</u>		
3. Length of sentence <u>6 years 80%</u>		
4. Nature of offense involved (all counts) <u>2nd Degree Burglary, - Petty Theft. PC 459, PC 666-484</u>		
5. What was your plea? (Check one) (a) Not guilty <input checked="" type="checkbox"/> (b) Guilty <input type="checkbox"/> (c) Nolo contendere <input type="checkbox"/> If you entered a guilty plea to one count or indictment, and a not guilty plea to another count or indictment, give details:		
6. If you pleaded not guilty, what kind of trial did you have? (Check one) (a) Jury <input checked="" type="checkbox"/> (b) Judge only <input type="checkbox"/>		
7. Did you testify at the trial? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
8. Did you appeal from the judgment of conviction? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		

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9. If you did appeal, answer the following:

(a) Name of court APPELLATE DEFENDERS INC,(b) Result remained.(c) Date of result and citation, if known 6/15/05(d) Grounds raised to dismiss Prior Strike

(e) If you sought further review of the decision on appeal by a higher state court, please answer the following:

(1) Name of court Superior Court of California, County of San Diego.(2) Result Denied due to 602 ROCK Appeal.(3) Date of result and citation, if known 6/12/07(4) Grounds raised NO EVIDENCES USED AS Solid Evidence. NO Photos
NO MERCHANDISE

(f) If you filed a petition for certiorari in the United States Supreme Court, please answer the following with respect to each direct appeal:

(1) Name of court NA(2) Result N/A(3) Date of result and citation, if known N/A(4) Grounds raised N/A

10. Other than a direct appeal from the judgment of conviction and sentence, have you previously filed any petitions, applications, or motions with respect to this judgment in any court, state or federal?

Yes ☒ No ☒

11. If your answer to 10 was "yes," give the following

information:

(a) (1) Name of court Superior court for the state of California in and for the County of San Diego(2) Nature of proceeding Order Denying Petition for writ of Habeas corpus(3) Grounds raised to have strike prior dismiss, no Evidence, discharge.

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(4) Did you receive an evidentiary hearing on your petition, application or motion?

Yes ☐ No ☒(5) Result denied(6) Date of result 6/11/07

(b) As to any second petition, application or motion give the same information:

(1) Name of court

(2) Nature of proceeding

(3) Grounds raised

(4) Did you receive an evidentiary hearing on your petition, application or motion?

Yes ☐ No ☐

(5) Result

(6) Date of result

(c) Did you appeal to the highest state court having jurisdiction the result of action taken on any petition, application or motion?

(1) First petition, etc. Yes ☐ No ☒(2) Second petition, Yes ☐ No ☒(d) If you did *not* appeal from the adverse action on any petition, application or motion, explain briefly why you did not:Because the case was heard again by a 602 Appeal from CDER

12. State *concisely* every ground on which you claim that you are being held unlawfully: Summarize *briefly* the facts supporting each ground. If necessary, you may attach pages stating additional grounds and *facts* supporting same.

CAUTION: In order to proceed in the federal court, you must ordinarily first exhaust your available state court remedies as to each ground on which you request action by the federal court. If you fail to set forth all grounds in this petition, you may be barred from presenting additional grounds at a later date.

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For your information, the following is a list of the most frequently raised grounds for relief in habeas corpus proceedings. Each statement preceded by a letter constitutes a separate ground for possible relief. You may raise any grounds which you may have other than those listed if you have exhausted your state court remedies with respect to them. However, *you should raise in this petition all available grounds* (relating to this conviction) on which you base your allegations that you are being held in custody unlawfully.

Do not check any of these listed grounds. If you select one or more of these grounds for relief, you must allege facts. The petition will be returned to you if you merely check (a) through (j) or any one of these grounds.

- (a) Conviction obtained by plea of guilty which was unlawfully induced or not made voluntarily with understanding of the nature of the charge and the consequences of the plea.
- (b) Conviction obtained by use of coerced confession.
- (c) Conviction obtained by use of evidence gained pursuant to an unconstitutional search and seizure.
- (d) Conviction obtained by use of evidence obtained pursuant to an unlawful arrest.
- (e) Conviction obtained by a violation of the privilege against self-incrimination.
- (f) Conviction obtained by the unconstitutional failure of the prosecution to disclose to the defendant evidence favorable to the defendant.
- (g) Conviction obtained by a violation of the protection against double jeopardy.
- (h) Conviction obtained by action of a grand or petit jury which was unconstitutionally selected and impaneled.
- (i) Denial of effective assistance of counsel.
- (j) Denial of right of appeal.

- A. Ground one: (c) Conviction obtained by use of evidence gained pursuant to an unconstitutional Search and Seizure

Supporting FACTS (state briefly without citing cases or law) when I was stoped at the via front doors And was Asked to have my Bag Searched, I Agreed to do so, my Bag was Searched and my head phones were only pulled out the Bag, I was then released And OK to go, I walked out And then Stoped Again out Side The Store, my Bag was Searched And Gill And the manager had took the items out of the Bag And Stached them so they wouldn't get the greeter lady in trouble who had searched my Bag Before I left the store.

- B. Ground two: the LPO had the tag numbers to the items but Not the items it self Because the manager had stached the items so the LPO couldn't find them.

Supporting FACTS (state briefly without citing cases or law): There was no Photos taken of the evidence because the items had came up missing before the LPO had got to see them. The Evidence's were never found because of the manager Stacheing them. The Greeter lady at the front door gave me the items And then released me And by that it shows that she set me up, because I let her check my property Bag And didn't deprive her of her doing's for her job.

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C. Ground three:

NO Photos,

Supporting FACTS (state briefly without citing cases or law):

LPO claimed he had the Digital Photos with the dates and time on the photo the photo that came to court at trial, was a Polaroid Photo from the Booking Jail.

D. Ground four:

NO Solid Evidence's Brought in to court

Supporting FACTS (state briefly without citing cases or law):

A pair of head phones from my Public Defender had been used for a exhibit along with my personal head phones I had that were also unopen I bought from a 99c store. The Public Defender head phones were for a look alike on how the head phones kind of looked that were in my Bag. And were taking out by Gill and her manager.

13. If any of the grounds listed in 12A, B, C, and D were not previously presented in any other court, state or federal, state briefly what grounds were not so presented, and give your reasons for not presenting them:

the fact on the Photos and ~~and~~ Evidence's NOT EXISTING in court for a conviction, and witnesses I called on from the store to give their testimonies.

14. Do you have any petition or appeal now pending in any court, either state or federal, as to the judgment under attack?
Yes ☐ No ☒

15. Give the name and address, if known, of each attorney who represented you in the following stages of the judgment attacked herein:

(a) At preliminary hearing J. Luis Guerrero

(b) At arraignment and plea J. Luis Guerrero

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(c) At trial J. Luis Guerrero(d) At sentencing J. Luis Guerrero(e) On appeal J. Luis Guerrero(f) In any post-conviction proceeding J. Luis Guerrero(g) On appeal from any adverse ruling in a post-conviction proceeding dont recall

16. Were you sentenced on more than one count of an indictment, or on more than one indictment, in the same court and at the same time?

Yes ☐ No ☒

17. Do you have any future sentence to serve after you complete the sentence imposed by the judgment under attack?

Yes ☐ No ☒

(a) If so, give name and location of court which imposed sentence to be served in the future:

(b) Give date and length of the above sentence:

(c) Have you filed, or do you contemplate filing, any petition attacking the judgment which imposed the sentence to be served in the future?

Yes ☐ No ☒

Wherefore, petitioner prays that the Court grant petitioner relief to which he may be entitled in this proceeding.

Signature of Attorney (if any)

I declare under penalty of perjury that the foregoing is true and correct. Executed

06/04/08
(date)Jackie D. Gieda
Signature of Petitioner

5. Sentence start date and projected release date: 4/28/04 - 8/22/09 ORIGINAL

6. Offense(s) for which you were convicted or pleaded guilty (all counts): NOT Guilty
(all counts) 459-460

7. What was your plea? (CHECK ONE)

- (a) Not guilty ☒
(b) Guilty ☐
(c) Nolo contendere ☐

8. If you pleaded not guilty, what kind of trial did you have? (CHECK ONE)

- (a) Jury ☒
(b) Judge only ☐

9. Did you testify at the trial?

- ☐ Yes ☒ No

DIRECT APPEAL

10. Did you appeal from the judgment of conviction in the California Court of Appeal?

- ☒ Yes ☐ No

11. If you appealed in the California Court of Appeal, answer the following:

(a) Result: remained

(b) Date of result, case number and citation, if known: 6/15/05

(c) Grounds raised on direct appeal: to Strike prior Strike B85,
NO Evidences, NO Photos,

12. If you sought further direct review of the decision on appeal by the California Supreme Court (e.g., a Petition for Review), please answer the following:

(a) Result: N/A

(b) Date of result, case number and citation, if known: N/A

(c) Grounds raised: N/A

13. If you filed a petition for certiorari in the United States Supreme Court, please answer the following with respect to that petition:

(a) Result: N/A

(b) Date of result, case number and citation, if known: N/A

(c) Grounds raised: N/A

COLLATERAL REVIEW IN STATE COURT

14. Other than a direct appeal from the judgment of conviction and sentence, have you previously filed any petitions, applications, or motions (e.g., a Petition for Writ of Habeas Corpus) with respect to this judgment in the California Superior Court?

☐ Yes ☒ No

15. If your answer to #14 was "Yes," give the following information:

(a) California Superior Court Case Number: N/A SCS 180-184

(b) Nature of proceeding: N/A Guilty

(c) Grounds raised: N/A NO Evidence, to strike prior Strike

(d) Did you receive an evidentiary hearing on your petition, application or motion?

☐ Yes ☒ No

(e) Result: N/A

(f) Date of result: N/A

16. Other than a direct appeal from the judgment of conviction and sentence, have you previously filed any petitions, applications, or motions (e.g., a Petition for Writ of Habeas Corpus) with respect to this judgment in the California Court of Appeal?

☐ Yes ☒ No

17. If your answer to #16 was "Yes," give the following information:

- (a) California Court of Appeal Case Number: N/A
- (b) Nature of proceeding: remand N/A
- (c) Grounds raised: N/A
- (d) Did you receive an evidentiary hearing on your petition, application or motion?
☐ Yes ☒ No
- (e) Result: N/A
- (f) Date of result: N/A

18. Other than a direct appeal from the judgment of conviction and sentence, have you previously filed any petitions, applications, or motions (e.g., a Petition for Writ of Habeas Corpus) with respect to this judgment in the California Supreme Court?

☐ Yes ☒ No

19. If your answer to #18 was "Yes," give the following information:

- (a) California Supreme Court Case Number: N/A
- (b) Nature of proceeding: N/A
- (c) Grounds raised: N/A
- (d) Did you receive an evidentiary hearing on your petition, application or motion?
☐ Yes ☒ No
- (e) Result: N/A
- (f) Date of result: N/A

20. If you did not file a petition, application or motion (e.g., a Petition for Review or a Petition for Writ of Habeas Corpus) with the California Supreme Court containing the grounds raised in this federal Petition, explain briefly why you did not:

because I was ~~not~~ told to Appeal it to Appellate it to
Defender INC. NEVER Knew Anything About California
Supreme Court

COLLATERAL REVIEW IN FEDERAL COURT

21. Is this your first federal petition for writ of habeas corpus challenging this conviction?

☒ Yes ☐ No (If "YES" SKIP TO #22)

- (a) If no, in what federal court was the prior action filed? NO

(i) What was the prior case number? NO

(ii) Was the prior action (CHECK ONE):

☐ Denied on the merits?

☐ Dismissed for procedural reasons?

(iii) Date of decision: NO

- (b) Were any of the issues in this current petition also raised in the prior federal petition?

☐ Yes ☒ No

- (c) If the prior case was denied on the merits, has the Ninth Circuit Court of Appeals given you permission to file this second or successive petition?

☐ Yes ☒ No

CAUTION:

- Exhaustion of State Court Remedies: In order to proceed in federal court you must ordinarily first exhaust your state court remedies as to each ground on which you request action by the federal court. This means that even if you have exhausted some grounds by raising them before the California Supreme Court, you must first present *all* other grounds to the California Supreme Court before raising them in your federal Petition.
- Single Petition: If you fail to set forth all grounds in this Petition challenging a specific judgment, you may be barred from presenting additional grounds challenging the same judgment at a later date.
- Factual Specificity: You must state facts, not conclusions, in support of your grounds. For example, if you are claiming incompetence of counsel you must state facts specifically setting forth what your attorney did or failed to do. A rule of thumb to follow is — state who did exactly what to violate your federal constitutional rights at what time or place.

GROUND ONE FOR RELIEF

22. State *concisely* every ground on which you claim that you are being held in violation of the constitution, law or treaties of the United States. Summarize *briefly* the facts supporting each ground. If necessary, you may attach pages stating additional grounds, and/or facts supporting each ground.

(a) **GROUND ONE:** Conviction obtained by use of evidence gained pursuant to an unconstitutional search and seizure. Conviction obtained by use of evidence obtained pursuant to an unlawful arrest.

Supporting FACTS (state *briefly* without citing cases or law) When I had gave the store greeter permission to search my bag when the alarm set off, she searched it and only pulled out my head phones and gave me the impression that my headphones were mine and stated these are yours we don't have this brand at our store, you can go now! As I exited the via front doors I was then placed into hand cuffs and escorted back into the store, the store greeter had set me up to get arrested with the items still left in the bag.

Did you raise GROUND ONE in the California Supreme Court?

☐ Yes ☒ No.

(b) GROUND TWO: (d) conviction obtained by use of evidence obtained pursuant to an unlawful arrest.

Supporting FACTS (state briefly without citing cases or law): When I was given permission to exit the via front doors and got arrested by the LPO outside the store, on the LPO NARRATIVE gives information on the store Greeter searching my property bag before exiting the via front doors. I never deprived (her) the Greeter, of her search before exiting the front doors, I was set up.

Did you raise GROUND TWO in the California Supreme Court?

☐ Yes ☒ No.

(c) ~~GROUND THREE~~ (g) Conviction obtained by a Violation of the Protection Against double jeopardy

Supporting FACTS (state briefly without citing cases or law): when the CPO had Arrested me After the Store greeter had stoped me then freed me.

Did you raise GROUND THREE in the California Supreme Court?

☐ Yes ☒ No.

(d) ~~GROUND FOUR~~ (h) conviction obtained by action of a grand or petit jury which was unconstitutionally selected and impaneled

Supporting FACTS (state briefly without citing cases or law): my Public Defender told me that I couldn't select my jury, so he didn't himself.

Did you raise GROUND FOUR in the California Supreme Court?

☐ Yes ☒ No.

23. Do you have any petition or appeal now pending in any court, either state or federal, pertaining to the judgment under attack?

☐ Yes ☒ No

24. If your answer to #23 is "Yes," give the following information:

(a) Name of Court: NO

(b) Case Number: NO

(c) Date action filed: NO

(d) Nature of proceeding: NO

(e) Grounds raised: _____

(f) Did you receive an evidentiary hearing on your petition, application or motion?

☐ Yes ☒ No

25. Give the name and address, if known, of each attorney who represented you in the following stages of the judgment attacked herein:

(a) At preliminary hearing: J. Luis Guerrero

(b) At arraignment and plea: J. Luis Guerrero

(c) At trial: J. Luis Guerrero

(d) At sentencing: J. Luis Guerrero

(e) On appeal: ~~NO~~ J. Luis Guerrero

(f) In any post-conviction proceeding: J. Luis Guerrero

(g) On appeal from any adverse ruling in a post-conviction proceeding: ~~NO~~ J. Luis Guerrero

26. Were you sentenced on more than one count of an indictment, or on more than one indictment, in the same court and at the same time?

☒ Yes ☒ No

27. Do you have any future sentence to serve after you complete the sentence imposed by the judgment under attack?

☐ Yes ☒ No

(a) If so, give name and location of court that imposed sentence to be served in the future:

NO

(b) Give date and length of the future sentence: NO

(c) Have you filed, or do you contemplate filing, any petition attacking the judgment which imposed the sentence to be served in the future?

☐ Yes ☒ No

28. Date you are mailing (or handing to a correctional officer) this Petition to this court: _____

Wherefore, Petitioner prays that the Court grant Petitioner relief to which he may be entitled in this proceeding.

SIGNATURE OF ATTORNEY (IF ANY)

I declare under penalty of perjury that the foregoing is true and correct. Executed on

06/01/08

(DATE)

Janki D. Geda
SIGNATURE OF PETITIONER

JS44

(Rev. 07/89)

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE SECOND PAGE OF THIS FORM.)

I (a) PLAINTIFFS

Jackie Dean Ojeda

People of the State of CA

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF Kern
(EXCEPT IN U.S. PLAINTIFF CASES)

1984	1983
FILING FEE PAID	Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/>
IFP MOTION FILED	Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/>
COPIES SENT TO Court <input checked="" type="checkbox"/> Judge <input checked="" type="checkbox"/>	NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND

FILED
JUN - 5 2008
CLERK, U.S. DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA BY <i>[Signature]</i> DEPUTY

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Jackie Dean Ojeda
PO Box 1906
Tehachapi, CA 93581
P-76824

ATTORNEYS (IF KNOWN)

'08 CV 1035 H JMA

II. BASIS OF JURISDICTION (PLACE AN X IN ONE BOX ONLY)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN X IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

- | | | | |
|--|--|----------------------------|----------------------------|
| PT | DEF | PT | DEF |
| <input checked="" type="checkbox"/> Citizen of This State | <input type="checkbox"/> Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| <input type="checkbox"/> Citizen of Another State | <input type="checkbox"/> Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| <input type="checkbox"/> Citizen or Subject of a Foreign Country | <input type="checkbox"/> Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. CAUSE OF ACTION (CITE THE US CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY).

28 U.S.C. 2254

V. NATURE OF SUIT (PLACE AN X IN ONE BOX ONLY)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> Marine <input type="checkbox"/> Miller Act <input type="checkbox"/> Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veterans Benefits <input type="checkbox"/> 160 Stockholders Suits <input type="checkbox"/> Other Contract <input type="checkbox"/> 195 Contract Product Liability	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury-Medical Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 RR & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. <input type="checkbox"/> Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (13958) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(e)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reappointment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State <input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Tort to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input checked="" type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights			

VI. ORIGIN (PLACE AN X IN ONE BOX ONLY)

- ☒ 1 Original Proceeding ☐ 2 Removal from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER f.r.c.p. 23

DEMAND \$

Check YES only if demanded in complaint:

JURY DEMAND: ☐ YES ☐ NO

VIII. RELATED CASE(S) IF ANY (See Instructions): JUDGE

Docket Number

DATE 6/5/2008

SIGNATURE OF ATTORNEY OF RECORD

Rmully

CR